

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

MONIKA GRAY-EL,)
)
)
Plaintiff,))
)
)
v.) **Case No. 1:24-cv-157-SNLJ**
)
)
UNITED STATES GOVERNMENT,)
et al.,)
)
)
Defendants.))

MEMORANDUM AND ORDER

This matter is before the Court on review of the file. On October 17, 2024, the Court issued an order finding that Plaintiff Monika Gray-El's complaint was deficient for two reasons: (1) it was not submitted on the Court's designated form, and (2) it failed to comply with Rules 8 and 10 of the Federal Rules of Civil Procedure. (Doc. 6). In light of Plaintiff's self-represented status, the Court granted her twenty-one (21) days to file an amended complaint correcting these deficiencies and provided guidance for doing so. *Id.* The Court further advised Plaintiff that failure to timely comply could result in the dismissal of this action. *Id.*

On November 15, 2024, rather than submitting an amended complaint, Plaintiff filed a notice of appeal. (Doc. 7). On January 31, 2025, the United States Court of Appeals for the Eighth Circuit dismissed the appeal for failure to prosecute. (Docs. 12, 13).

Sixty-two days later, on April 3, 2025, Plaintiff filed a handwritten "Petition for Declaratory Judgement Relief." (Doc. 14). Even if the Court were to construe this filing

as an amended complaint, it is untimely and fails to comply with the Court's previous instructions regarding content and format.

Under Federal Rule of Civil Procedure 41(b), a court may dismiss an action if "the plaintiff fails to prosecute or to comply with these rules or a court order[.]" Fed. R. Civ. P. 41(b). Plaintiff has failed to comply with the Court's October 2024 order and the time for doing so has expired. Therefore, the Court finds that dismissal of this matter is warranted under Rule 41(b).

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's "Petition for Declaratory Judgement Relief" (Doc. 12) is **DENIED** as moot.

IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice.

See Fed. R. Civ. P. 41(b). A separate Order of Dismissal will follow.

Dated this 7th day of April 2025.



STEPHEN N. LIMBAUGH, JR.

SENIOR UNITED STATES DISTRICT JUDGE